

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CLIFFORD WAYNE MILLER,

Petitioner,

v.

STATE OF NEVADA, *et al.*,

Respondents.

Case No. 3:19-cv-00673-MMD-WGC

ORDER

This habeas matter is before the Court on Petitioner Clifford Wayne Miller's unopposed second motion for extension of time (ECF No. 27) to file a third amended petition for writ of habeas corpus.

When a party moves to extend a deadline before the original time expires and the stated reasons show good cause, the Court may grant the extension. Fed. R. Civ. P. 6(b); LR IA 6-1. Good cause is shown if the deadline cannot reasonably be met despite the diligence of the party seeking the extension. *See Coleman v. Quaker Oats Co.*, 232 F.3d 1271, 1294 (9th Cir. 2000).

Petitioner's motion provides a strong showing of good cause why counsel could not meet the current deadline despite her diligence. However, the Court's warning remains in effect moving forward.¹

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¹In the order granting Petitioner's previous request, counsel was advised, "[f]urther extensions of time are not likely to be granted absent compelling circumstances and a strong showing of good cause why the amended pleading could not be filed within the extended time allowed despite the exercise of due diligence." (ECF No. 26.)

1 It is therefore ordered that Petitioner's motion for extension of time (ECF No. 27)
2 is granted. Petitioner has until November 23, 2020, to file a third amended petition.

3 DATED THIS 18th day of September 2020.

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7 MIRANDA M. DU
8 CHIEF UNITED STATES DISTRICT JUDGE
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